

CITY OF MANTECA  
STATE OF CALIFORNIA

**PROPOSAL**

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NAME OF BIDDER GEORGE REED, INC.

BUSINESS ADDRESS P.O. BOX 4760, MODESTO, CA 95352

TELEPHONE NO. 209-523-0734

**LOCATION**

The work to be done and referred to herein is in the City of Manteca, California, upon City-owned property, and consists of improvements to be constructed in accordance with the provisions of this Contract Proposal, Special Notice to Bidders, Notice to Contractors, Special Provisions, Technical Specifications, Standard Plans, and Specifications attached hereto and by reference incorporated herein, and Addendum to any of the above incorporated by reference herein.

Said work to be done is shown upon the plans entitled:

**2009 ARRA ROADWAY REHABILITATION**

**TO THE CITY COUNCIL OF THE CITY OF MANTECA:**

The undersigned, as bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm, or corporation; that he has carefully examined the location of the proposed work above described, that he has examined the plans, special provision and conditions therefor, and is familiar with all proposal requirements, that he has examined this Contract Proposal and the provisions incorporated by reference herein, and he hereby proposes, and agrees if this Contract Proposal is accepted by the City, to provide all necessary machinery, tools, apparatus, and other means of construction, and to do all the work and furnish all the materials and services required to complete the said construction in accordance with said Contract Proposal and the Contract, the Special Provisions, the Project Plan(s), the Addendum to any of the above as incorporated by reference in the time stated herein, for the unit prices and/or lump sum prices as follows:

## BID SHEET

### 2009 ARRA ROADWAY REHABILITATION

BASE BID					
ITEM NO.	ITEM DESCRIPTION	BID QUANTITY	UNIT	UNIT COST	TOTAL COST
1	MOBILIZATION	1	LS	5,900.30	5,900.30
2	PREPARE LEAD COMPLIANCE PLAN	1	LS	1,100.00	1,100.00
3	TRAFFIC CONTROL & CONSTRUCTION SIGNING	1	LS	20,000.00	20,000.00
4	SAWCUT CONCRETE	56	LF	2.05	114.80
5	COLD PLANE ASPHALT CONCRETE	27,032	SY	1.00	27,032.00
6	ASPHALT CONCRETE LEVEL COURSE (1/2" AVG. DEPTH)	637	TON	83.00	52,871.00
7	RHMA-G OVERLAY	6,008	TON	82.50	495,660.00
8	REMOVE & REPLACE CONCRETE SIDEWALK	1,743	SF	6.00	10,458.00
9	REMOVE & REPLACE CONCRETE CURB & GUTTER	277	LF	40.00	11,080.00
10	REMOVE & REPLACE CONCRETE DRIVEWAY	895	SF	11.50	10,292.50
11	REMOVE & REPLACE CURB RAMP	2	EA	1,600.00	3,200.00
12	INSTALL TRAFFIC SIGNAL DETECTOR LOOPS	92	EA	380.00	34,960.00
13	ADJUST MANHOLE FRAME & COVER	102	EA	280.00	28,560.00
14	ADJUST WATER VALVE FRAME & COVER	127	EA	300.00	38,100.00
15	ADJUST MONUMENT FRAME & COVER	42	EA	300.00	12,600.00
16	ADJUST LAMP HOLE FRAME & COVER	7	EA	300.00	2,100.00
17	WHITE THERMOPLASTIC PAVEMENT LEGENDS	4,129	SF	4.25	17,548.25
18	YELLOW THERMOPLASTIC PAVEMENT LEGENDS	1,220	SF	4.25	5,185.00
19	PAVEMENT MARKER - DETAIL 4	4,584	LF	0.55	2,521.20
20	PAVEMENT MARKER - DETAIL 10	4,941	LF	0.55	2,717.55
21	PAVEMENT MARKER - DETAIL 23	7,338	LF	1.30	9,539.40
22	WHITE THERMOPLASTIC - DETAIL 27B	552	LF	0.60	331.20
23	PAVEMENT MARKER - DETAIL 30	150	LF	2.60	390.00
24	PAVEMENT MARKER - DETAIL 33	2,106	LF	2.60	5,475.60
25	PAVEMENT MARKER - DETAIL 38	123	LF	1.50	184.50
26	WHITE THERMOPLASTIC - DETAIL 38A	100	LF	1.50	150.00
27	PAVEMENT MARKER - DETAIL 38C	580	LF	1.30	754.00
28	PAVEMENT MARKER - DETAIL 39	8,156	LF	0.76	5,709.20
29	PAVEMENT MARKER - DETAIL 39A	2,531	LF	0.76	1,771.70
30	PAVEMENT MARKER - TYPE X	19	EA	23.00	437.00
<b>BASE BID TOTAL:</b>					<b>806,743.20</b>

## BID SHEET (con't.) 2009 ARRA ROADWAY REHABILITATION

<b>ADDITIVE ITEM 1 (MISSION RIDGE DRIVE)</b>					
ITEM NO.	ITEM DESCRIPTION	BID QUANTITY	UNIT	UNIT COST	TOTAL COST
31	TRAFFIC CONTROL & CONSTRUCTION SIGNING	1	LS	2,520.00	2,520.00
32	COLD PLANE ASPHALT CONCRETE	3,120	SY	1.00	3,120.00
33	ASPHALT CONCRETE LEVEL COURSE (½" AVG. DEPTH)	99	TON	83.50	8,266.50
34	RHMA-G OVERLAY	803	TON	78.50	63,035.50
35	ADJUST MANHOLE FRAME & COVER	29	EA	520.00	15,080.00
36	ADJUST WATER VALVE FRAME & COVER	18	EA	300.00	5,400.00
37	ADJUST MONUMENT FRAME & COVER	7	EA	350.00	2,450.00
38	ADJUST LAMPHOLE FRAME & COVER	1	EA	530.00	530.00
39	WHITE THERMOPLASTIC PAVEMENT LEGENDS	708	SF	4.25	3,009.00
40	PAVEMENT MARKER - DETAIL 4	1,028	LF	0.55	565.40
41	PAVEMENT MARKER - DETAIL 23	536	LF	1.30	696.80
42	PAVEMENT MARKER - DETAIL 39	3,277	LF	0.70	2,293.90
43	PAVEMENT MARKER - DETAIL 39A	480	LF	0.70	336.00
<b>ADDITIVE ITEM 1 TOTAL</b>					<b>106,323.10</b>
<b>ADDITIVE ITEM 2 (WAWONA STREET &amp; NORTHGATE DR STA. 55+33 TO STA. 61+44)</b>					
ITEM NO.	ITEM DESCRIPTION	BID QUANTITY	UNIT	UNIT COST	TOTAL COST
44	TRAFFIC CONTROL & CONSTRUCTION SIGNING	1	LS	1,700.00	1,700.00
45	COLD PLANE ASPHALT CONCRETE	2,016	SY	1.00	2,016.00
46	ASPHALT CONCRETE LEVEL COURSE (½" AVG. DEPTH)	41	TON	83.50	3,423.50
47	RHMA-G OVERLAY	439	TON	78.50	34,141.50
48	ADJUST MANHOLE FRAME & COVER	6	EA	250.00	1,500.00
49	ADJUST WATER VALVE FRAME & COVER	7	EA	300.00	2,100.00
50	ADJUST MONUMENT FRAME & COVER	3	EA	350.00	1,050.00
51	WHITE THERMOPLASTIC PAVEMENT LEGENDS	45	SF	4.20	189.00
52	YELLOW THERMOPLASTIC PAVEMENT LEGENDS	527	SF	4.20	2,213.40
53	PAVEMENT MARKER - DETAIL 10	1,036	LF	0.55	569.80
54	PAVEMENT MARKER - DETAIL 23	1,065	LF	1.30	1,384.50
55	PAVEMENT MARKER - TYPE X	2	EA	230.00	460.00
<b>ADDITIVE ITEM 2 TOTAL</b>					<b>56,833.70</b>
<b>PROJECT TOTAL (BASE BID + ADDITIVE ITEM 1 + ADDITIVE ITEM 2):</b>					<b>957,900.00</b>

IT IS THE CITY'S DESIRE TO AWARD A CONTRACT FOR CONSTRUCTION OF THE ENTIRE PROJECT. HOWEVER, IN CONSIDERATION OF THE FACT THAT THE CITY'S BUDGET FOR THIS PROJECT CANNOT BE EXCEEDED, THE PRECEDENCE FOR DETERMINATION OF THE LOW BIDDER IS AS FOLLOWS:

1. Base Bid + Additive Item 1 + Additive Item 2
2. Base Bid + Additive Item 1
3. Base Bid

In case of any discrepancy between unit prices and total cost of an item, the unit price shall prevail. The bid items listed above are intended to encompass all construction work as called out in these Contract Specifications and as shown on the plans. If an item of work is not specifically mentioned, it shall be assumed to be included in the most appropriate bid item.

If this proposal shall be accepted and the undersigned shall fail to contract as aforesaid and to give the two (2) bonds in the sums to be determined as aforesaid, with surety satisfactory to the City Council of the City of Manteca, within ten (10) calendar days after the bidder has received notice from the City Engineer that the contract is ready for signature, the City Council may, at its option, determine that the bidder has abandoned the contract, and thereupon this proposal and the acceptance thereof shall be null and void, and the forfeiture of such security accompanying this proposal shall be in accordance with Title 4, Division 3, Part 2, Chapter 6, article 2 of the Government Code of the State of California.

The undersigned understands and agrees that the City will not be responsible for any error or omissions on the part of the undersigned in making this proposal.

In accordance with Government Code Section 14310.5, the bidder shall complete, under penalty of perjury, the following questionnaire:

### QUESTIONNAIRE

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Has the bidder, any officer of the bidder, or any employee of the bidder who has a proprietary interest in the bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of the law or a safety regulation?

YES \_\_\_\_\_ NO   X   \_\_\_\_\_

If the answer is yes, explain the circumstances in the following space.

**NOTE: THIS QUESTIONNAIRE CONSTITUTES A PART OF THE PROPOSAL, AND SIGNATURE ON THE SIGNATURE PORTION OF THIS PROPOSAL SHALL CONSTITUTE SIGNATURE OF THIS QUESTIONNAIRE.**

# LIST OF SUBCONTRACTORS

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The following information is furnished relative to each subcontractor who will perform work or labor or render services to the undersigned in and about the construction of the project in the amount in excess of one-half of one percent (0.5%) of the total amount of the bid or \$10,000.00, whichever is greater.

The undersigned agrees that any portion of the work in excess of one-half of one percent (0.5%) of the total amount of this bid or \$10,000.00, whichever is greater, and for which no subcontractor is designated herein, will be performed by the undersigned.

NAME & ADDRESS OF SUBCONTRACTOR	SUBCONTRACTOR LICENSE NO.	% OF TOTAL CONTRACT	WORK TO BE PERFORMED
Dillard Environment Trucking Byron, Ca.	624665	2.7%	Trucking
EM OIL TRANSPORT INC Montebello, Ca	838893	15%	Oil Supplier
Chase Company Stockton, Ca.	374600	6.4%	Striping
<del>RM Electric Excavation Elk Grove, Ca.</del>	<del>1644110</del> <sup>RM</sup>	<del>3.6%</del> <sup>RM</sup>	<del>Electrical</del> <sup>RM</sup>
Republic ITS Novato, Ca	647154	<del>3.6</del> <sup>RM</sup> 2.7%	Electrical

# AUTHORIZED OFFICERS

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## RESOLUTION

RESOLVED, that any one of the following persons, with titles as designated, are authorized and directed to execute on behalf of and as the act of this corporation the written proposal and/or contracts (and associated documents) to and with the City of Manteca regarding

\_\_\_\_\_  
2009 ARRA ROADWAY REHABILITATION  
\_\_\_\_\_:

<u>NAME</u>	<u>TITLE</u>
WENDELL REED	PRESIDENT
ED BERLIER	VICE PRESIDENT
ROSIE R. MARTINEZ	SECRETARY/TREASURER
_____	_____
_____	_____
_____	_____

## CERTIFICATE OF SECRETARY

I certify that:

I am duly qualified and acting Secretary of GEORGE REED, INC. (name of corporation), a CALIFORNIA Corporation.

The foregoing is a true copy of a resolution duly adopted by the Board of Directors of the corporation at a regular/special meeting duly held on MARCH 2, 2009 entered in the minutes of such meeting in the minute book of the corporation.

The resolution is in conformity with the articles of incorporation and bylaws of the corporation, has never been modified or repealed, and is now in full force and effect.

Dated: AUGUST 3, 2009

Rosie R. Martinez  
Secretary



**STATEMENT ACKNOWLEDGING PENAL AND CIVIL PENALTIES  
CONCERNING THE CONTRACTORS'  
LICENSING LAWS**

[Business & Professions Code § 7028.15]

[Public Contract Code § 20103.5]

I, the undersigned, certify that I am aware of the following provisions of California law and that I, or the entity on whose behalf this certification is given, hold a currently valid California contractor's license as set forth below:

*Business & Professions Code § 7028.15:*

- (a) It is a misdemeanor for any person to submit a bid to a public agency in order to engage in the business or act in the capacity of a contractor within this state without having a license therefor, except in any of the following cases:
  - (1) The person is particularly exempted from this chapter.
  - (2) The bid is submitted on a state project governed by Section 10164 of the Public Contract Code or on any local agency project governed by Section 20104 [now § 20103.5] of the Public Contract Code.
- (b) If a person has been previously convicted of the offense described in this section, the court shall impose a fine of 20 percent of the price of the contract under which the unlicensed person performed contracting work, or four thousand five hundred dollars (\$4,500), whichever is greater, or imprisonment in the county jail for not less than 10 days nor more than six months, or both.

In the event the person performing the contracting work has agreed to furnish materials and labor on an hourly basis, "the price of the contract" for the purposes of this subdivision means the aggregate sum of the cost of materials and labor furnished and the cost of completing the work to be performed.

- (c) This section shall not apply to a joint venture license, as required by Section 7029.1. However, at the time of making a bid as a joint venture, each person submitting the bid shall be subject to this section with respect to his or her individual licensure.
- (d) This section shall not affect the right or ability of a licensed architect, land surveyor, or registered professional engineer to form joint ventures with licensed contractors to render services within the scope of their respective practices.
- (e) Unless one of the foregoing exceptions applies, a bid submitted to a public agency by a contractor who is not licensed in accordance with this chapter shall be considered nonresponsive and shall be rejected by the public agency. Unless one of the foregoing exceptions applies, a local public agency shall, before awarding a contract or issuing a purchase order, verify that the contractor was properly licensed when the contractor submitted the bid. Notwithstanding any other provision of law, unless one of the foregoing exceptions applies, the registrar may issue a citation to any public officer or employee of a public entity who knowingly awards a contract or issues a purchase order to a contractor who is not licensed pursuant to this chapter. The amount of civil penalties, appeal, and finality of such citations shall be subject to Sections 7028.7 to 7028.13, inclusive. Any contract awarded to, or any purchase order issued to, a contractor who is not licensed pursuant to this chapter is void.





## INSURANCE ACKNOWLEDGMENT

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I have reviewed the City of Manteca's insurance requirements and I am aware of the types and amounts of insurance coverages that are required. I am also aware that my insurance company is required to use the Certificate of Insurance Form, and General Liability Special Endorsement, Automobile Liability Special Endorsement, and Workers' Compensation and Employer's Liability Special Endorsement Forms, provided herein. I have reviewed the City of Manteca's insurance requirements with my insurance carrier and I will be able to provide the required insurance coverages on the specified forms if awarded this project.

Bidder's Signature Rosie R. Martinez  
ROSIE R. MARTINEZ, SECRETARY/TREASURER

Date 8/3/09

# BID BOND AFFIDAVIT

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Accompanying this proposal is (Notice: Insert the words "Cash (\$..)", "Cashier's Check", "Certified Check", or "Bidder's Bond" as the case may be)

BIDDER'S BOND

in an amount equal to at least ten percent (10%) of the total of the bid amount.

The undersigned further agrees that in case of default in executing the required contract together with the necessary bonds within the period of time provided by the Proposal Requirements, the proceeds of the security accompanying this proposal shall become the property of the City of Manteca, California, and this proposal and the acceptance thereof may be considered null and void.

Name of person who inspected site of proposed work for your firm:

NAME BRANDON HENDERSON DATE OF INSPECTION 7/27/09

Name, address, and telephone number of surety company and agent who will provide the required bonds for this contract:

SURETY: WESTERN SURETY COMPANY 877-589-6952  
2998 DOUGLAS BLVD., SUITE 14, ROSEVILLE, CA 95661

AGENT: HUCIK AND COMPANY 916-852-1900  
21 NATOMA STREET, SUITE 150, FOLSOM, CA 95650

**IMPORTANT NOTICE:** If bidder or other interested person is a corporation, state legal name of corporation, also names of the president, secretary, treasurer, and manager thereof; if a co-partnership, state true name of firm, also names of all individual co-partners composing firm; if bidder or other interested person is an individual, state firm name and individual's name in full.

Rosie R. Martinez  
BIDDER'S SIGNATURE

GEORGE REED, INC.  
A CALIFORNIA CORPORATION

ROSIE R. MARTINEZ, SECRETARY/TREASURER  
BIDDER'S TITLE

WENDELL REED - PRESIDENT  
ED BERLIER - VICE PRESIDENT  
ROSIE R. MARTINEZ - SECRETARY/TREASURER

P.O. BOX 4760, MODESTO, CA 95352  
BUSINESS ADDRESS

8/3/09  
DATE

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS,

That George Reed, Inc. \_\_\_\_\_ as Principal,  
and Western Surety Company \_\_\_\_\_ as Surety,

are held and firmly bound unto City of Manteca \_\_\_\_\_  
hereinafter called "Owner", in the sum of 10% of Total Amount Bid \_\_\_\_\_

\_\_\_\_\_ dollars, (not less than 10 percent of the total amount of the bid) for the payments of which sum, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, said Principal has submitted a bid to said Owner to perform all work required under the bidding schedule(s) of the Owner's Contract Documents entitled 2009 ARRA Roadway Rehabilitation \_\_\_\_\_

NOW THEREFORE, if said Principal is awarded a contract by said Owner and, within the time and in the manner required in the "Notice Inviting Bids" and the "Instructions to Bidders" enters into a written contract on the form of agreement bound with said Contract Documents, furnishes the required Performance Bond and Payment Bond within 10 calendar days after receipt of agreement forms from said Owner, then this obligation shall be null and void, otherwise it shall remain in full force and effect. In the event suit is brought upon this bond by said Owner and Owner prevails, said Surety shall pay all costs incurred by said Owner in such suit, including a reasonable attorney's fee to be fixed by the court.

SIGNED AND SEALED, this 28th day of July, 2009.

George Reed, Inc. (SEAL) \_\_\_\_\_ Western Surety Company (SEAL)  
(Principal) (Surety)

By: Rosie R. Martinez  
(Signature)

ROSIE R. MARTINEZ, SECRETARY/TREASURER

By: \_\_\_\_\_  
(Signature) P.A. Gouker,  
Attorney-in-Fact

(SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY)

**ACKNOWLEDGMENT**

State of California  
County of SACRAMENTO )

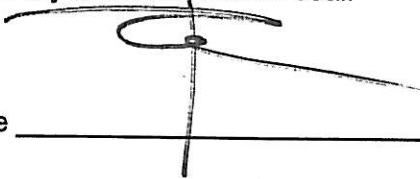
On July 28, 2009 before me, Rosalie A. Miszkief, Notary Public  
(insert name and title of the officer)

personally appeared P.A. Gouker  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_



(Seal)



# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Thomas R Hucik, Jo Anne Hucik, Rosalie A Miszkiel, P A Gouker, Individually**

of Folsom, CA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

**- In Unlimited Amounts -**

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 3rd day of November, 2006.



WESTERN SURETY COMPANY

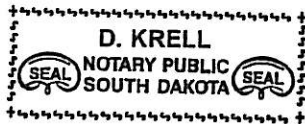
Paul T. Bruflat, Senior Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 3rd day of November, 2006, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012



D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this **28th** day of **July, 2009**



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

**Authorizing By-Law**

**ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY**

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.



**ACKNOWLEDGMENT**

State of California  
County of Stanislaus )

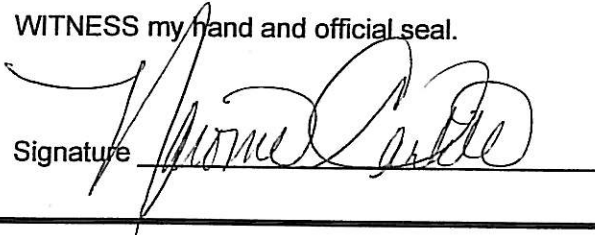
On July 29, 2009 before me, Naiome Carlile, Notary Public  
(insert name and title of the officer)

personally appeared Rosie R. Martinez  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

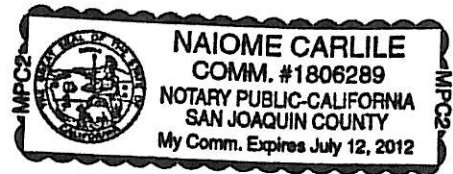
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



**Noncollusion Affidavit**  
(Title 23 United States Code Section 112 and  
Public Contract Code Section 7106)

To the CITY / COUNTY of MANTECA/SAN JOAQUIN  
*DEPARTMENT OF PUBLIC WORKS.*

In accordance with Title 23 United States Code Section 112 and Public Contract Code 7106 the bidder declares that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Note: The above Noncollusion Affidavit is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Noncollusion Affidavit. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

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## DEBARMENT AND SUSPENSION CERTIFICATION

### TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29

The bidder, under penalty of perjury, certifies that, except as noted below, he/she or any other person associated therewith in the capacity of owner, partner, director, officer, and manager:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Notes: Providing false information may result in criminal prosecution or administrative sanctions. The above certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification.

## NONLOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS

The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

- (1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

**DISCLOSURE OF LOBBYING ACTIVITIES**

COMPLETE THIS FORM TO DISCLOSE LOBBYING ACTIVITIES PURSUANT TO 31 U.S.C. 1352

<p><b>1. Type of Federal Action:</b></p> <p><input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance</p>	<p><b>2. Status of Federal Action:</b></p> <p><input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award</p>	<p><b>3. Report Type:</b></p> <p><input type="checkbox"/> a. initial <input type="checkbox"/> b. material change</p> <p style="text-align: right;"><b>For Material Change Only:</b> year _____ quarter _____ date of last report _____</p>
<p><b>4. Name and Address of Reporting Entity</b></p> <p><input type="checkbox"/> Prime                      <input type="checkbox"/> Subawardee Tier _____, if known</p> <p>Congressional District, if known _____</p>	<p><b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b></p> <p>Congressional District, if known _____</p>	
<p><b>6. Federal Department/Agency:</b></p>	<p><b>7. Federal Program Name/Description:</b></p> <p>CFDA Number, if applicable _____</p>	
<p><b>8. Federal Action Number, if known:</b></p>	<p><b>9. Award Amount, if known:</b></p>	
<p><b>10. a. Name and Address of Lobby Entity (If individual, last name, first name, MI)</b></p>	<p><b>b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI)</b></p>	
<p>(attach Continuation Sheet(s) if necessary)</p>		
<p><b>11. Amount of Payment (check all that apply)</b></p> <p>\$ _____ <input type="checkbox"/> actual                      <input type="checkbox"/> planned</p>	<p><b>13. Type of Payment (check all that apply)</b></p> <p><input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other, specify _____</p>	
<p><b>12. Form of Payment (check all that apply):</b></p> <p><input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____</p>		
<p><b>14. Brief Description of Services Performed or to be performed and Date(s) of Service, including officer(s), employee(s), or member(s) contacted, for Payment Indicated in Item 11:</b></p> <p style="text-align: center;">(attach Continuation Sheet(s) if necessary)</p>		
<p><b>15. Continuation Sheet(s) attached:</b>                      Yes <input type="checkbox"/>                      No <input type="checkbox"/></p>		
<p><b>16. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying reliance was placed by the tier above when his transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</b></p>	<p>Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____</p>	
<p>Authorized for Local Reproduction Standard Form - LLL</p>		

Federal Use Only:

**INSTRUCTIONS FOR COMPLETION OF SF-LLL,  
DISCLOSURE OF LOBBYING ACTIVITIES**

This disclosure form shall be completed by the reporting entity, whether subawardee or prime federal recipient, at the initiation or receipt of covered federal action or a material change to previous filing pursuant to title 31 U.S.C. Section 1352. The filing of a form is required for such payment or agreement to make payment to lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress an officer or employee of Congress or an employee of a Member of Congress in connection with a covered federal action. Attach a continuation sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered federal action.
2. Identify the status of the covered federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is or expects to be a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the first tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in Item 4 checks "Subawardee" then enter the full name, address, city, State and zip code of the prime federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organization level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the federal program name or description for the covered federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate federal identifying number available for the federal action identification in item 1 (e.g., Request for Proposal (RFP) number, Invitation for Bid (IFB) number, grant announcement number, the contract grant or loan award number, the application/proposal control number assigned by the federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered federal action where there has been an award or loan commitment by the Federal agency, enter the federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influenced the covered federal action.  
(b) Enter the full names of the individual(s) performing services and include full address if different from 10 (a). Enter Last Name, First Name and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.

14. Provide a specific and detailed description of the services that the lobbyist has performed or will be expected to perform and the date(s) of any services rendered. Include all preparatory and related activity not just time spent in actual contact with federal officials. Identify the federal officer(s) or employee(s) contacted or the officer(s) employee(s) or Member(s) of Congress that were contacted.
15. Check whether or not a continuation sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name title and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

SF-LLL-Instructions Rev. 06-04-90«ENDIF»





City of Manteca  
PUBLIC WORKS DEPARTMENT  
1001 W Center Street  
Manteca CA 95337  
(209) 456-8400

## 2009 ARRA ROADWAY REHABILITATION

### ADDENDUM NUMBER ONE

To all contractors submitting bids for the above project: The following items are changes to the contract documents of the above mentioned project. They shall be considered part of the contract to the same extent as if they were originally incorporated therein.

**BIDDERS SHALL ACKNOWLEDGE RECEIPT OF THIS ADDENDUM BY ATTACHING A COPY TO THE BID FORM.**

**Addendum One contains a total of 23 pages.**

- Item 1: Proposal page "P-14" erroneously shows the DBE goal as 7% for this project. The correct DBE goal is 10%. Replace sheet P-14 with P-14(Revised), included in this addendum.
- Item 2: Federal Wage Decision has been updated. Replace GENERAL DECISION CA20080029 7/10/2009 CA29 with GENERAL DECISION CA20080029 7/24/2009 CA29. You may download the revised Federal Wage Decision at <http://mantecapw.com> or contact Jeff Ross at 209-456-8424 if you would like the Federal Wage Decision faxed to you. (21 Pages)



City of Manteca  
PUBLIC WORKS DEPARTMENT  
1001 W. Center Street  
Manteca, CA 95337  
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## 2009 ARRA ROADWAY REHABILITATION

### ADDENDUM NUMBER TWO

To all contractors submitting bids for the above project: The following items are changes to the contract documents of the above mentioned project. They shall be considered part of the contract to the same extent as if they were originally incorporated therein.

**BIDDERS SHALL ACKNOWLEDGE RECEIPT OF THIS ADDENDUM BY ATTACHING A COPY TO THE BID FORM.**

**Addendum Two contains a total of 1 page.**

Item 1: The first paragraph of Section "1-0-1.20" of the Technical Specifications is modified to read as follows:

*Asphalt concrete shall conform to the requirements in the revised Section 39, "Hot Mix Asphalt", of the Standard Specifications, July 2007, the City of Manteca Standard Specifications and these special provisions. The HMA process utilized shall be the Method process, per Section 39-3 of the Standard Specifications.*

Item 2: The bid opening date has been changed to August 4, 2009 at 2:00 PM.

END OF ADDENDUM TWO



City of Manteca  
PUBLIC WORKS DEPARTMENT  
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## 2009 ARRA ROADWAY REHABILITATION

### ADDENDUM NUMBER THREE

To all contractors submitting bids for the above project: The following items are changes to the contract documents of the above mentioned project. They shall be considered part of the contract to the same extent as if they were originally incorporated therein.

**BIDDERS SHALL ACKNOWLEDGE RECEIPT OF THIS ADDENDUM BY ATTACHING A COPY TO THE BID FORM.**

Addendum Three contains a total of 2 pages.

- Item 1: The project plans do not show nine (9) traffic signal detector loops on North Street at the N. Main Street intersection. The project plans do not show ten (10) traffic signal detector loops on N. Union Road at the Louise Avenue intersection. The bid sheet has been revised to include these missing traffic signal detector loops and to show the correct number of traffic signal detector loops to be installed. Replace sheet P-2 with P-2 (Revised), included in this addendum.
- Item 2: The Lead Compliance Plan called out in Bid Item #2 shall satisfy the following requirement of the environmental document approved by Caltrans for this project:

*This project would involve limited soil excavation for curb and gutter replacement. Lead occurs naturally in all soils in varying concentrations. Therefore, the California Occupational Safety and Health Administration (Cal OSHA) requires a lead compliance plan on all jobs where there is soil disturbance. A lead compliance plan would be implemented during project construction. Yellow thermoplastic pavement paint is often used for roadway striping, and some of this material would be removed during project construction. Since older yellow thermoplastic striping generally contains lead chromate, it must be treated as a hazardous substance, and must be properly removed and disposed of at an appropriate facility...*

*A lead compliance plan for worker health and safety must be prepared by a Certified Industrial Hygienist and must be implemented prior to the start of construction activities. Asphalt grindings containing yellow thermoplastic paint must be tested for lead and chromium content. If the thermoplastic grindings are found to be hazardous they must be disposed of at a Class I facility.*

Please use the above as guidance in submitting a cost proposal for Bid Item #2. Please also note that it is not anticipated that any grindings containing lead chromate will be generated by the project.

END OF ADDENDUM THREE